Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Message Text

UNCLASSIFIED

PAGE 01 USBERL 01239 301550Z
ACTION EUR-12

INFO OCT-01 ISO-00 IO-14 ACDA-12 TRSE-00 HA-05 MCT-01
COME-00 CIAE-00 DODE-00 PM-05 H-02 INR-10 L-03
NSAE-00 NSC-05 PA-02 SP-02 SS-15 ICA-20 /109 W
----------013738 301749Z /46
R 301411Z MAY 78
FM USMISSION USBERLIN
TO SECSTATE WASHDC 6897
AMEMBASSY BONN
INFO AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USNATO
AMCONSUL BREMEN
AMCONSUL DUSSELDORF
AMCONSUL FRAKFURT
AMCONSUL HAMBURG
AMCONSUL MUNICH
AMCONSUL STUTTGART

UNCLAS USBERLIN 1239

E.O.11652: NA
TAGS: PGOV, AKB, BQG
SUBJECT: TRIAL OF 2 JUNE MOVEMENT TERRORISTS: SIXTH
AND SEVENTH WEEKS

REF: USBERLIN 1141

SUMMARY: DILATORY DEBATES AND DISRUPTIONS CONTINUE. THE ACTUAL TRIAL HAS NOT YET BEGUN SINCE THE INDICTMENT HAS NOT YET BEEN READ OUT. FREEING OF DEFENDANT TILL MEYER BY ARMED TERRORISTS REPORTED SEPTEL. END SUMMARY.

1. IN PREVIOUS SESSIONS, THE COURT HAD REJECTED A MOTION FILED
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 USBERL 01239 301550Z

BY DEFENSE COUNSEL BECKER THAT JUDGE WEISS BE EXCLUDED ON GROUNDS OF BEING BIASED. AT THE 10TH SESSION ON 17 MAY THE DEFENSE COUNSLES OF ALL SIX ACCUSED FILED IDENTICAL MOTIONS. ACCORDING TO THEM, WEISS, IN ADDITION TO CONTRIBUTING TO THE ACQUITTAL OF NAZI-JUDGE REHSE, WAS ALSO RESPONSIBLE FOR THE ERRON-EOUS JUDGMENT AGAINST FORMER (TERRORIST) LAWYER HORST MAHLER INASMUCH AS MAHLER WAS FOUND GUILTY OF HAVING

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

COMMITTED BANK ROBBERY. DEFENSE COUNSEL WIELAND EX-
PLAINED THAT THEREFORE IT WAS TO BE EXPECTED THAT
JUDGE WEISS WOULD CONTRIBUTE A "THIRD SIGNIFICANT
MISJUDGMENT." THE FEDERAL PROSECUTOR ARGUED THAT THE
MOTION WAS NOT ADMISSIBLE AND THAT ITS ONLY PURPOSE WAS
TO IMPEDE TH TRIAL. THE ACCUSED FRITZSCH, REINDERS AND
KLOEPPER STATED THAT THEY DID NOT EXPECT THE MOTION
TO BE SUCCESSFUL. THEY ADDED THAT THEIR FIGHT WAS NOT
DIRECTED AGAINST INDIVIDUAL JUDGES LIKE WEISS OR THE
PRESIDING JUDGE BUT AGAINST THE ENTIRE JUDICIARY AS THE
INSTRUMENT OF THOSE IN POWER. AFTER ABOUT TWO HOURS THE
PRESIDING JUDGE ADJOURNED THE SESSION TO TUESDAY, MAY
23. DECISION ON THE MOTION WAS POSTPONED.

2. THE 11TH SESSION (23 MAY) OF THE TRIAL WAS MARKED BY
THE SCANDAULUS BEHAVIOR OF THE ACCUSED, SOME OF THEIR
LAWYERS AND PART OF THE AUDIENCE WHO ALTOGETHER
STARTED TO YELL AND SHOUT WHEN THE FEDERAL PROSECUTOR
BEGAN TO READ OUT THE INDICTMENT. HE WAS UNABLE TO PROCEED,
AND THE TRIAL WAS ADJOURNED TO MAY 24. HOWEVER,
EVEN AT THE 12TH SESSION (24 MAY) OF THE TRIAL THE
FEDERAL PROSECUTOR WAS NOT ABLE TO FINISH READING OUT
THE INDICTMENT BECAUSE IN THE MEANTIME THE LAWYERS HAD
FILED NEW MOTIONS ASKING FOR DISCONTINUANCE OF THE TRIAL.
THESE MOTIONS WERE BASED ON AN INCIDENT WHICH OCCURRED A
YEAR AGO WHEN POLICE OFFICERS HAD TRIED TO BRING THE
UNCLASSIFIED

ACCUSED BEFORE WITNESSES FOR THE PURPOSE OF IDENTIFICA-
TION. WHEN DOING SO THE POLICE OFFICERS HAD USED SO-
CALLED "KNEBELKETTEN" (A KIND OF COME-ALONG DEVICE). THE
DEFENSE COUNSELS IN THEIR MOTIONS ARGUED THAT AFTER SUCH
BEHAVIOR, A FAIR TRIAL WOULD NO LONGER BE POSSIBLE. DECISION
ON THE MOTION WAS POSTPONED.

3. FURTHER DETAILS ON FREEING OF ACCUSED TILL MEYER
REPORTED SEPTEL. GEORGE

NNN

Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TRIALS, TERRORISTS
Control Number: n/a
Copy: SINGLE
Draft Date: 30 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978USBERL01239
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780226-0271
Format: TEL
From: USBERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t1978056/aaaaaeps.tel
Line Count: 103
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: d9901c9f-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 78 USBERLIN 1141
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2692983
Secure: OPEN
Status: NATIVE
Subject: TRIAL OF 2 JUNE MOVEMENT TERRORISTS: SIXTH AND SEVENTH WEEKS
TAGS: PGOV, WB, GE, AKB, BQG, 2 JUNE MOVEMENT
To: STATE BONN
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/d9901c9f-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014